IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 22972 of 1998

Between:

Miryala Santhosh Kumar, S/o Jaihind , Being Minor Rep: by
Father M. Jaihind, S/o Kanakaiah, Aged about 47, Employee in
NSF, R/o EWS, 109, Bharatnagar Colony, Hyderabad. …. **PETITIONER**

AND

1 A.P.S.R.T.C., Rep. by Managing Director & Vice Chairman,
Mushirabad, Hyderabad.
2 The Depot Manager, A.P.S.R.T.C., Kukatpalli, Hyderabad.
3 The Government of A.P., Rep. by Secretary
Education Department, Hyderabad.
4 The Commissioner & Director of Collegiate Education, Hyderabad.
5 Board of Intermediate Education, Rep. by Secretary,
Nampally, Hyderabad.
6 Nalanda Jr College (CO-Education) Opp: KPHB Colony, Kukatpally,
Hyderabad

(R6 Dismissed for defautl vide court order dt:4.4.03)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to 1) to declare the action of the third respondent herein in imposing the clauses 3 & 4 in the proceedings in D.O.Letter No. 106/PS/RE/95 dt: 25.7.1995 as arbitrary, illegal, improper discriminatory and violative of Atricles 14 & 16 of the Constitution of India 2) Declaring the action of the 5th respondent herein in imposing the condition No.15 in consequential proceedings in Rc.No.33/R.R/E4-2/1997-98 dt:30.12.1997 as arbitrary illegal, and discriminatory 3) Declaring the action of the Respondents herein in denying the bus passes and scholarships on par with the other recognised unaided Jr. Colleges, as arbitrary and discriminatory; 4) Consequently direct the respondents herein to extend all such benefits to the petitioner herein.

Counsel for the Petitioner: MR.Y.RAMA RAO

Counsel for the Respondent Nos.1 and 2: MR.K.HARINATH, SC for APSRTC

Counsel for the Respondent Nos.3 and 4: GP for Higher Education

The Court made the following :

-

ORDER:

-

Heard the learned counsel for the petitioner and the learned Standing Counsel for APSRTC.

This writ petition is filed seeking a writ of Mandamus to declare the action of the third respondent in imposing clauses 3 and 4 in the proceedings in D.O. Lr.No.106/PS/RE/95, dated 25-07-1995 with regard to students bus passes and scholarships, as illegal and arbitrary; and to declare the action of the fifth respondent in imposing condition No.15 in the consequential proceedings in Rc.No.33/R.R./E4-2/1997-98, dated
30-12-1997 in the issue of bus passes and scholarships to the students, as illegal, arbitrary and discriminatory; and consequently to direct the respondents to extend all such benefits to the petitioner.

Similar writ petitions in W.P. No.28965 of 1997 and batch were disposed of by this Court on 15-3-1999 with the following directions.

"The writ petitions are disposed of with a direction that the petitioners-students and similarly situate students shall be extended the benefit of scholarships for SC/STs and BCs and they shall also be issued concessional bus and railway passes in accordance with their respective rules and regulations without reference to the stipulations made by the Intermediate Board in respect of these two benefits while granting recognition. If any applications are already pending before the authorities for extension of these benefits, the same shall be considered in accordance with the rules and regulations."

In view of this, the writ petition is disposed of in terms of the directions granted in W.P. No.28965 of 1997 and batch restricting the relief only to scholarships for Scheduled Tribes, Scheduled Castes and Backward Communities. No costs.

_____

N.V. RAMANA, J

Date: 11-03-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Managing Director & Vice Chairman, A.P.S.R.T.C.,
Mushirabad, Hyderabad.
2 The Depot Manager, A.P.S.R.T.C., Kukatpalli, Hyderabad.
3 The Secretary, Government of A.P., Education Department, Hyderabad.
4 The Commissioner & Director of Collegiate Education, Hyderabad.
5 The Secretary, Board of Intermediate Education,
Nampally, Hyderabad.
6 The Principal, Nalanda Jr. College (Co-Edn), KPHB colony, Kukatpally, Hyderabad.

7 Two CD copies

8 Two CCs. to the Government Pleader for Higher Education, High Court of A.P., Hyderabad (OUT).

*Form-NIC-OGS/WP{**MN**}*